

10.9.1.3.3.6 *Site design standards.* The following additional site design standards shall apply to development that is subject to the compatibility standards of this section:

10.9.1.3.3.6.1 No swimming pool, tennis court, ball field, or playground area (except those that are accessory to a single-family dwelling unit) shall be permitted within 50 feet of the lot line of triggering property.

10.9.1.3.3.6.2 Dumpsters and refuse receptacles shall be located a minimum of 25 feet from the lot line of triggering property.

10.9.1.3.3.6.3 Exterior lighting shall be designed and located to minimize light spilling onto surrounding property and source of light cannot be in the direct line of sight.

10.10 FENCES

Except as otherwise specifically provided in other codes and regulations of the city, the following regulations shall apply to the construction of all fences:

10.10.1 Maximum height: Fences shall not exceed eight feet in height, unless approved by the Planning Commission. Fencing in I-1 or I-2 districts, and around tennis courts and other recreational amenities, shall be exempt from this height limit.

10.10.2 Corner visibility: Fences shall comply with the corner visibility standards set herein.

10.10.3 Construction/materials: Fences in all residential zoning districts shall be constructed so that the horizontal and vertical support posts are inside the fenced area or hidden from view of those outside the fenced area. This requirement shall not apply to fences that abut nonresidential zoning districts or in situations where the owner of the lot adjacent to the fence agrees to a plan for placing support posts on the "outside" of the fence. All exposed steel, except galvanized metal, shall have a color finish coat applied to them and be preserved against rust and corrosion. Exception agriculture pipe fencing.

10.10.4 Design and maintenance: All fences shall be maintained in their original upright condition. Fences designed to be painted or have other surface finishes shall be maintained in their original condition as designed. Missing boards, pickets, or posts shall be replaced in a timely manner with material of the same type and quality.

10.10.5 Prohibited: Barbed wire and electrified fences shall be prohibited on all lots of less than one acre in area.

10.11 SIDEWALKS

10.11.1 Single-family, multi-family and commercial development: Sidewalks shall be required for all single family, multi-family developments that contain five units or more. Sidewalks may be required through the site plan approval process for commercial developments.

10.11.2 Construction standards: Sidewalks shall be constructed in accordance with all applicable city standards and specifications, and with all applicable Americans with Disabilities Act (ADA) requirements. Sidewalks must be setback at least three feet from the back of the curb or pavement and such sidewalks shall have a minimum width of four feet. This specification shall be the city's standard requirement. Provided, however, that under unique circumstances, exceptions may be made through site plan approval, for a sidewalk to be attached to the curb or be located closer than three feet to the curb, provided such sidewalk shall have a minimum width of six feet.

10.11.3 Timing of installation: Required sidewalks shall be installed prior to occupancy of any structure.

10.12 DRAINAGE AND STORM WATER MANAGEMENT Adequate provisions for drainage of surface water and storm water management shall be made for all development and redevelopment. Plans for such including grading plans, for all commercial, all industrial development, and all residential developments that contain five units or more, shall be submitted and considered as part of the site plan approval process. All such plans shall be prepared by a registered professional civil engineer, licensed in Arkansas, and submitted and considered as part of the site plan approval process. Such plans shall contain adequate and properly designed measures to control erosion and sediment discharge from the construction site, and to prevent water pollution that may result from such discharges and runoff. The provisions of this section shall also be applicable to all development and redevelopment impacting one acre or more of property, regardless of the type of development or use.

11. BOARD OF ZONING ADJUSTMENT

11.1 CREATION AND APPOINTMENT

The Board of Zoning Adjustment (BZA) is hereby established, which shall be composed of the Planning Commission as a whole.

11.2 ORGANIZATION

The Board of Zoning Adjustment shall adopt rules necessary to the conduct of its affairs and in keeping with the provisions of these regulations. Meetings shall be held on a regular schedule and at such other times as the Board may determine. All meetings shall be open to the public. The Board of Zoning Adjustment shall keep minutes of its vote, indicating such fact, and it shall keep records of its examinations and other official actions, all of which shall be a public record. A quorum of the Board shall consist of three members. The concurring vote of a majority of the total Board members shall be necessary to revise any